

20 December 1973

Prof. M. Risk,
Department of Geology,
McMaster University,
Hamilton, Ontario.

Dear Prof. Risk:

I was very interested by what you said regarding your environmental impact studies in the Bay of Fundy. We would be pleased if you could keep us informed in some manner on the factors surrounding the federal government project and its likely effects on the ecology of the area, as well as on the possibility of a premature governmental decision to proceed with its construction.

I am enclosing some material regarding our organization, including several back issues of our bi-monthly publication, the Canadian Environmental Law News.

Enclosed as well is a copy of our brief to the Ontario Ministry of the Environment responding to its "Green Paper on Environmental Assessment" (released September 27, 1973). The Ontario government is presently considering amendments to the Environmental Protection Act which would, ideally, require environmental impact assessments before any provincially sponsored or financed projects received approvals for go-ahead.

Our criticisms of the government's apparent predilections on a number of facets of the process are capitalized in the summary at the beginning of the brief.

Of course, I understand your pre-occupation and concern with the federal government project. But if you find that you can support some or all of the positions enumerated in our brief, we would appreciate your so indicating in a letter or submission of your own, in addition to other opinions and points of view that you may have on the matter.

Such a letter of submission should be addressed to:

Hon. J.A.C. Auld,
Minister of the Environment,
135 St. Clair Avenue West,
Toronto, Ontario.

We would appreciate receiving a copy of whatever submission you send to the Ministry.

If you can manage it, we would also appreciate a donation (ca.\$2.00) to cover the cost of reproducing and mailing of the brief, in order that we may continue to fill requests for it.

Since the other provinces and the federal government are likely to take into account, when they come to set up their own environmental impact assessment procedures, the ones which Ontario has established, we feel that it is vital that Ontario be persuaded to adopt procedures which will be worthy of emulation.

Yours very truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

J. F. Castrilli
Environmental Impact Study Group

JFC/eb
Encl.

5 December 1973

A.P. Lino Grima,
University of Toronto,
Department of Geography,
Sidney Smith Hall,
100 St. George St.,
Toronto.

Dear Professor Grima:

I am enclosing a copy of a letter recently sent to Clive Goodwin of the Conservation Council, which outlines a Canadian example (i.e. the KVP case and Act) similar to the U.S. Trans-Alaska Pipeline legislation which you mention in your draft. It might perhaps be useful to add it to your submission as a Canadian precedent for such actions in this area.

The citations for both the KVP case and the KVP Act; should you wish to include them, are:

Case: McKie v. The K.V.P. Co. [1948] 3 D.L.R.201

Act: An Act respecting the K.V.P. Company Limited
S.O. 1950 chapter 33.

Also, I hope you might reconsider including some reference to the need for public funding in your submission, or at least mention that impecunious communities might still be hard pressed to appear adequately represented before hearing bodies and courts, if funding is not made available to them and/or if class or representative actions are not allowed.

Yours very truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

J.F. Castrilli

JFC/eb